

<b>Notice of Allowability</b>	Application No..	Applicant(s)
	10/789,244	BYRNE, PETER
	Examiner Belix M. Ortiz	Art Unit 2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amended claims Filed 8/31/2007.
2.  The allowed claim(s) is/are 1-10 and 12-17.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 9/24/07.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

CHARLES RONES  
**SUPERVISORY PATENT EXAMINER**

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. The following is an Examiner's statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose, make obvious, or otherwise suggest the structure of the applicant's prediction program, prediction apparatus, and prediction method together with the other limitations of the independent claims.

The dependent claims being further limiting and definite are also allowable. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Authorization for this examiner's amendment was given in an interview with Jerome G. Schaefer on September 24, 2007.

**AMENDMENT TO THE CLAIMS:**

Claims 1, 7, and 12 have been amended. Claims 1-10 and 12-17 remain pending in the application.

**WHAT IS CLAIMED IS:**

1. (Currently Amended) A method of generating recoverable units in a database, the method comprising:
  - partitioning the database into a first recovery unit and a second recovery unit, the first recovery unit and the second recovery unit part of a physical layer of the database;
  - creating a primary metadata catalog comprising metadata of logical elements of the recovery units, the primary metadata catalog referencing the recovery units, the primary catalog comprising a portion of a logical layer of the database;

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creating multiple logs such that any one recovery unit is associated with only one log;

creating two secondary metadata catalogs, each secondary metadata catalog corresponding to a respective recovery unit and comprising metadata of physical elements for the respective recovery unit;

linking the primary metadata catalog to the secondary metadata catalogs, the linking comprising a correlation of the logical layer with the physical layer; and

maintaining the secondary metadata catalogs such that the first recovery unit is recoverable independently from the second recovery unit, ~~allowing accessing~~ the second recovery unit of the database ~~to be accessed~~ while the first recovery unit of the database is being recovered.

7. (Currently Amended) A system having a database, the system comprising:

a processor having access to memory, the memory having instructions which, when executed, perform the method comprising:

partitioning the database into a first recovery unit and a second recovery unit the first recovery unit and the second recovery unit part of a physical layer of the database;

creating a primary metadata catalog comprising metadata of logical elements of the recovery units, the primary metadata catalog referencing the recovery units, the primary metadata catalog comprising a portion of a logical layer of the database;

creating multiple logs such that any one recovery unit is associated with only one log;

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creating two secondary metadata catalogs, each secondary metadata catalog corresponding to a respective recovery unit and comprising metadata of physical elements for the respective recovery unit;

linking the primary metadata catalog to the secondary metadata catalogs, the linking comprising a correlation of the logical layer with the physical layer; and maintaining the secondary metadata catalogs such that the first recovery unit is recoverable independently from the second recovery unit, ~~allowing accessing~~ the second recovery unit of the database ~~to be accessed~~ while the first recovery unit of the database is being recovered.

12. (Currently Amended) A computer-readable storage medium having computer-executable instructions for performing a method, the method comprising:

partitioning the database into a first recovery and a second recovery unit, the first recovery unit and the second recovery unit part of a physical layer of the database;

creating a primary metadata catalog comprising metadata of logical elements of the units, the primary metadata catalog referencing the recovery units, the primary metadata catalog comprising a portion of a logical layer of the database;

creating multiple logs such that any one recovery unit is associated with only one log;

creating two secondary metadata catalogs, each secondary metadata catalog corresponding to a respective recovery unit and comprising metadata of physical elements for the respective recovery unit;

linking the primary metadata catalog to the secondary metadata catalogs, the linking comprising a correlation of the logical layer with the physical layer; and maintaining the secondary metadata catalogs such that the first recovery unit is recoverable independently from the second recovery unit, ~~allowing accessing~~ the second recovery unit of the database ~~to be accessed~~ while the first recovery unit of the database is being recovered.

#### **Reasons for Allowance**

2. Claims 1-10 and 12-17 are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter:  
the prior arts of records, neither anticipates nor renders obvious the following limitations as claimed:

As to claims 1, 7, and 12, the prior art of records fail to anticipate or suggest a method of generating recoverable units in a database, the method comprising:

partitioning the database into a first recovery unit and a second recovery unit, the first recovery unit and the second recovery unit part of a physical layer of the database;

creating a primary metadata catalog comprising metadata of logical elements of the recovery units, the primary metadata catalog referencing the recovery units, the primary catalog comprising a portion of a logical layer of the database;

creating multiple logs such that any one recovery unit is associated with only one log;

creating two secondary metadata catalogs, each secondary metadata catalog corresponding to a respective recovery unit and comprising metadata of physical elements for the respective recovery unit;

linking the primary metadata catalog to the secondary metadata catalogs, the linking comprising a correlation of the logical layer with the physical layer; and

maintaining the secondary metadata catalogs such that the first recovery unit is recoverable independently from the second recovery unit, accessing the second recovery unit of the database while the first recovery unit of the database is being recovered, together with the other limitations of the independent claims.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 571-272-4081. The examiner can normally be reached on moday-friday 9am-5pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bmo

September 24, 2007

*C.Rones*  
CHARLES RONES  
~~SUPERVISING PATENT EXAMINER~~